



# City of Annapolis

## Department of Planning & Zoning

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## Board of Appeals

January 7, 2015

The Board of Appeals of the City of Annapolis held its regularly scheduled meeting on January 7, 2015 in the City Council Chambers. **Chair** Zazzali called the meeting to order at 7:16pm.

**Members Present:** C. Zazzali-**Chair**, D. Meyers-**Vice Chair**, R. Gallagher

**Staff Present:** G. Elson-Board Attorney, M. Leahy-City Attorney, P. Gutwald, J. Rouse, K. Ruff-Attorney

### C. MOTION TO HOLD SPECIAL MEETING

Mr. Meyers moved to conduct the special meeting of the Board of Appeals on January 7, 2015. Mr. Gallagher seconded the motion. The motion passed unanimously in a vote of 3-0.

Mr. Gallagher moved to conduct the special meeting of the Board of Appeals on January 7, 2015. Mr. Meyers seconded the motion. The motion passed unanimously in a vote of 3-0.

### D. ELECTION OF OFFICER

Mr. Gallagher moved to elect Mr. Meyers to serve as **Chair** of the Board of Appeals. Mr. Zazzali seconded the motion. The motion passed unanimously in a vote of 3-0.

Mr. Gallagher moved to elect Mr. Zazzali to serve as **Vice Chair** of the Board of Appeals. Mr. Meyers seconded the motion. The motion passed unanimously in a vote of 3-0.

The Board recessed at 7:26pm and reconvened at 7:27pm.

**Chair** Meyers deferred the **Chair** position to **Vice Chair** Zazzali to complete the hearing on the Two Farms t/a Royal Farms special exception application. There were no objections from both the Counsel for the City and the Applicant.

### E. PUBLIC HEARING

#### 1. Two Farms, Inc. t/a Royal Farms, S.E. #2013-007 - Continued

##### Motion to Reopen Public Testimony

**Vice Chair** Zazzali noted that there was a request to reopen the public hearing submitted by Ms. Elly Tierney, President of the Ward One. Mr. Hyatt, Attorney for the Applicant, objected to reopening the public hearing. Ms. Ruff noted that the City does not oppose the motion request to reopen the public hearing.

The Board recessed at 7:34pm and reconvened at 7:39pm.

**Vice Chair** Zazzali noted that the Board will allow the public testimony portion of the hearing to be reopened to accept written public testimony.

**Closing Arguments**

Mr. Hyatt provided closing arguments on the special exception application.

Ms. Ruff provided closing arguments on the special exception application.

Mr. Hyatt responded to specific comments made by Ms. Ruff during her closing argument.

Ms. Ruff responded to specific comments made by Mr. Hyatt during his rebuttal.

**Vice Chair** Zazzali officially closed the public hearing written testimony and verbally. The special exception application for Two Farms t/a Royal Farms was closed and deliberation discussions will occur at another date to be determined.

**Chair** Zazzali accepted the following exhibits into the record.

Exhibit Number	January 7, 2015 Board of Appeals Exhibit Type
25	Continuation of Public Testimony <ul style="list-style-type: none"><li>• Email from Elly Tierney dated 12/23/14</li><li>• Letter from William Buck dated 1/7/15</li><li>• Letter from Frederick Broen dated 12/17/14</li><li>• Email from Sean O'Neill dated 12/28/14</li><li>• Letter from Robert Clark dated 1/7/15</li></ul>

**2. Dale and Amy Shields Opinion and Order in Variance, VAR2014-005**

**Chair** Meyers moved to approve the variance as submitted. Mr. Gallagher seconded the motion. The motion passed unanimously in a vote of 3-0.

**3. 2014 Annual Report**

Mr. Gallagher moved to approve the Board of Appeals 2014 Annual Report. **Chair** Meyers seconded the motion. The motion passed unanimously in a vote of 3-0.

**H. ADJOURNMENT**

With there being no further business, Mr. Gallagher moved to adjourn the meeting at 9:25pm. **Chair** Meyers seconded the motion. The motion passed unanimously in a vote of 3-0.

Tami Hook, Recorder